

JEFFERSON COUNTY COMMISSIONERS  
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KEN WEBER, CHAIR

CHUCK NOTBOHM

TOM LYTHGOE

**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
July 8, 2008**

**Present:** Commissioners Lythgoe and Weber; Melissa Morris, GIS Mapping; Craig Doolittle, County Sheriff; Kacey Askin, Montana City Trails and Trust; Marilyn Vandolah, Rockin' the Rivers; Dawn and Mishai Huckaba, Whitehall Girl Scouts; Dave Kirsch

**Absent:** Commissioner Notbohm

**MINUTES**

Commissioner Weber moved to adopt the minutes of June 10. Commissioner Lythgoe seconded. The motion carried.

**CALENDAR REVIEW**

- 7/09 North-end business roundtable lunch - noon
- 7/10 Justice Court budget - 2:00  
Elkhorn Working Group - 3:00  
Weed Board - 6:00  
Library Board - 7:00  
Health Board - 7:00
- 7/14 Budget Meetings:  
DES - 8:30  
Health Department - 9:00  
Fire Warden - 10:00  
I.T. - 10:30  
Weed - 11:00  
Treasurer - 11:30  
Sheriff - 1:00  
Museum - 2:30  
Attorney/Victim Advocate - 3:00
- 7/15 Budget Meetings:  
Central Shop - 8:30  
Facilities - 9:00  
Sanitarian - 9:30  
Road/Solid Waste - 10:00  
Fair Board - 11:00  
Superintendent - 11:30  
District Court - 1:00  
Planning - 1:30  
Clerk and Recorder - 2:00

**CORRESPONDENCE**

July 8, 2008 minutes.wpd

Commissioner Weber read a memo from Matt regarding the Sheep Mountain subdivision. Matt said that he has talked to Jack Frazier and Joe Schmaus, who say they will be bringing engineered road plans down that afternoon. Matt and Joe will be meeting at 2:00 to discuss this.

Commissioner Weber read an e-mail the Commission received from Bruce Supella. The e-mail concerned the shared well agreement with the Montana City VFD. The agreement has been terminated and they have abandoned the well in Pronghorn Hills. The state is of the opinion that it is up to the County to remove the tank. Commissioner Lythgoe stated that we need to figure out what we are going to do. That site is going to be abandoned; the first thing we need to do is get that spout out of there, as that is an accident waiting to happen. He asked who buried the tanks. Commissioner Weber stated that he thought that Harold was looking into this.

Commissioner Weber noted that there is further correspondence from Matt concerning this. He states that we own the water tank now. It may be more economical to leave them as they are, but they may need to be moved in the future. Commissioner Lythgoe stated that if there is water in those tanks, it needs to be removed before something happens. He is not sure who owns them however. Commissioner Weber noted that the state seems to think that we own them.

Commissioner Lythgoe said that they may be in the right-of-way and that is why the state thinks that they are ours. Commissioner Weber said that Joe might be able to use the water for some of his road maintenance in the north end. Commissioner Lythgoe stated that he will contact Bruce to see why the state thinks that this is ours.

Commissioner Weber read a memo from Matt regarding letter from MCVFD outlining some of their concerns. The memo outlines the County's stance on issues raised. Commissioner Lythgoe stated that he asked Harold to follow up on the first issue, the need for a retaining wall. It is a hazard and he thinks that we should ask Matt to write them a letter asking them to do something about it. There needs to be a retaining wall of some kind.

## **ITEMS FOR COMMISSIONERS ACTION OR REVIEW**

### **PUBLIC HEARING – LEVYING AND SPECIAL ASSESSMENT – SADDLE MOUNTAIN RSID**

Commissioner Weber called the public hearing to order. Commissioner Lythgoe read the resolution outlining the levy to finance the RSID formed on Saddle Mountain.

Commissioner Weber called for comments. Hearing none, he closed the public hearing.

### **RESOLUTION 27-2008 FINAL LEVY OF SPECIAL ASSESSMENTS**

Commissioner Lythgoe moved to adopt resolution 27-2008. Commissioner Weber seconded. The motion carried.

Commissioner Weber stated that Jefferson County has received a letter from DEQ regarding a dusty road complaint on Elkhorn Road. Commissioner Weber stated that he will contact the writer and let him know the status of the lawsuit and that we cannot do any work on the road until we get a decision from the judge. Commissioner Lythgoe stated that we still have the

responsibility to deal with dust if there are people driving on the road and stirring up dust.

Commissioner Weber read a letter from Great West Engineering containing task order #29, the former Wagner House topographical survey. The letter was signed and will be sent back to Great West.

#### CANCEL MEETING OF JULY 15

Commissioner Weber stated that the county is in the budgetary process and the Commission will be meeting with all departments to discuss budgets. Commissioner Lythgoe moved to cancel the July 15 Commission meeting. Commissioner Weber seconded. The motion carried.

#### DISCUSS AND DECIDE ON REMOVING SOUTH HILLS PARK HOMEOWNER'S ASSOCIATION FROM RMD

Commissioner Weber stated that it was the intent of the Commission to remove public areas from the RID/RMD, as the homeowners are already paying the assessment for their property. The homeowner's association was removed from the RID, but was overlooked and not removed from the RMD.

Commissioner Lythgoe moved to remove the South Hills Park homeowners association from the RMD. Commissioner Weber seconded. The motion carried.

#### KACEY ASKIN – DISCUSS CTEP FUNDING FOR MONTANA CITY PHASE 2 TRAIL AND BRIDGES AND DISCUSS PERMITTING

Kacey Askin, Montana City Trails and Trust, (MCT&T), stated that they had applied for Safe Routes to School funding and have recently found out that they have been denied. Because of this, they have revised their project budget estimate. Kacey explained project and associated costs, and stated that they are hoping to get more CTEP funds to cover the loss of the Safe Routes to School funds. Kacey stated that there have been a lot of people who have donated money to help with this project, and it has a lot of community support. There is a huge benefit to having this project completed. They are requesting an additional \$43,290 from CTEP, for a total of \$101,731.00. This would require additional match from MCT&T and the County in the amount of \$3,355 each. Commissioner Lythgoe stated that the Commission has recently received a letter from CTEP regarding the money available. He noted that the Commission has agreed to give some money to the fish pond project in Whitehall, but it will probably be a while until they are ready to proceed. He said that this is one of the best uses from CTEP funds that he has seen, and the group has been working on this project for quite a while. Commissioner Weber stated that the CTEP portion is taken care of, but asked about funding for the match.

Commissioner Lythgoe stated that the funding source would be PILT.

Commissioner Lythgoe moved to approve CTEP funding in the amount of \$101,731, and that the county also commit match in the amount of \$8,414, recognizing that MCT&T will be providing \$7,355 in match. Commissioner Weber seconded. The motion carried. The location of the matching funds was not specified; funding sources for this will be researched.

Kacey asked about getting this through MDT, if the county submits the paper work. Commissioner Lythgoe stated that this will be up to the Montana City Trails and Trust group. They will have to fill out the paperwork and go through the public hearing process. This meeting will count as one and the minutes of this meeting will be available. He stated that any articles that show up in the paper should also be included as part of the application. Commissioner Weber asked if they have to follow the policy using the legal paper of record. Commissioner Lythgoe stated that they do not. They will, however, have to have the public hearings; this is all lined out in the application documents.

Kent Atwood stated that he is a hazard mitigation officer for the State of Montana and presented information regarding the hazard mitigation program which the Commission should be receiving in the mail.

Commissioner Weber called for a recess until the agenda time to consider the next topic.

#### DISCUSS AND DECIDE ON APPROVAL OF LARGE GROUP FUNCTION PERMIT – ROCKIN' THE RIVERS

Marilyn Vandolah presented the completed application for a large group function. Craig stated that he has reviewed the application; the permits are in order and he has a check. Commissioner Lythgoe asked, for informational purposes, how the Country Jam went. Craig stated that it went well; some minor incidents. Commissioner Lythgoe asked how many people they anticipate. Marilyn stated that they are expecting about 4,500. She has over 1,600 tickets sold already. She has tightened things up in the office, so she should be able to have an accurate head count after the event. Some tickets are sold at the gate, but she should be able to get a good accounting. Commissioner Lythgoe stated that the County relies on them to come up with an estimate, which the fee is based on. Craig stated that if we plan for 4500 and 4600 or 4700, that isn't a big deal. However, if 10,000 people show up, that is a huge deal. Craig stated that he would like to say that the permit process this year was relatively painless this year; they didn't have to fix anything or go looking for signatures. Commissioner Lythgoe stated that the application looks good.

Commissioner Lythgoe moved to approve the large group function application for Rockin' the Rivers. Commissioner Weber seconded. The motion carried.

#### DISCUSS AND DECIDE ON REQUEST FOR FUNDS FOR PURCHASE OF HOUSE MARKERS FOR SILVER AWARD PROJECT OF WHITEHALL GIRL SCOUTS

Dawn Huckaba stated that Deb Stone is the main leader of the group, but she is not able to be at the meeting today. They hope to purchase home address marker kits, which contains materials for 50 markers. They want to make these available to the public to help with emergency response. This is a silver award project, which is for a community service project. They are asking for \$550 for the purchase of 50 kits, which the girls will then sell to area residents at Frontier Days. The plan is to donate the money raised from the sale to a non-profit organization in Whitehall, specifically the animal shelter. Commissioner Weber asked if they plan to pay the county back from the proceeds. Dawn stated that this is the plan. Commissioner Lythgoe noted that they are just asking for a loan, in that case. Commissioner Weber asked the Girl Scout in attendance to explain the importance of the silver award. Mishai Huckaba stated that silver

award is a junior award and allows the scout to go to the senior level.

Commissioner Lythgoe stated that it makes sense to him that we would give them the \$550 and all of the proceeds would go to the non-profit organization, rather than paying the county back, and made a motion to that effect. Commissioner Weber seconded. The motion carried.

Commissioner Lythgoe moved to adjourn. Commissioner Weber seconded. The motion carried.

**MEETING ADJOURNED**

**ATTEST:**

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**BONNIE RAMEY  
CLERK AND RECORDER**

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**KEN WEBER, CHAIR**

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**TOMAS E. LYTHGOE, COMMISSIONER**

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**CHUCK NOTBOHM, COMMISSIONER**